



Washington, D.C. 20530

NOV 26 1980

MEMORANDUM

FOR: Daniel B. Silver  
General Counsel  
Central Intelligence Agency

FROM: Kenneth C. Bass, III *KCB*  
Counsel for Intelligence Policy  
Office of Intelligence Policy & Review

RE: Legal Memorandum dated November 26, 1980.  
Titled: CIA Assistance to the FBI in Locating U.S. Persons  
Abroad Who Are Subject to Indictment for International  
Terrorist Activities

Section 3-304 of Executive Order 12036 requires the Attorney General to keep the IOB informed of legal opinions affecting the Intelligence Community. In order to fulfill this responsibility, and as a means of keeping the various intelligence agencies informed of opinions that may affect their activities, we will send summaries of all such opinions to the IOB and the intelligence agencies in the future. If any agency desires a copy of the full opinion after reviewing the summary, it would make a specific request to this Office. Such a request would only be honored following consultation with the agency which originally received the opinion.

Attached is a copy of the opinion summary for the enclosed opinion. Unless we hear from you to the contrary within ten days, we shall assume that you have no objection to the distribution of this summary.

Attachment.

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## OPINION SUMMARY

TO: Daniel B. Silver  
General Counsel  
Central Intelligence Agency

FROM: Kenneth C. Bass, III  
Counsel for Intelligence Policy  
Office of Intelligence Policy & Review

DATE: November 26, 1980

RE: CIA Assistance to the FBI in Locating U.S.  
Persons Abroad Who Are Subject to Indictment  
for International Terrorist Activities

CLASSIFICATION: CONFIDENTIAL

## CONCLUSIONS:

The CIA would be authorized by Executive Order 12036 or its implementing procedures to collect and disseminate to the FBI information regarding the whereabouts of two U.S. persons, both of whom are fugitives from justice and are believed to be outside of the United States, since such information may constitute foreign intelligence or counterintelligence (i.e., information useful in protecting against international terrorist activities) as those terms are defined in E.O. 12036 and CIA procedures. Such activity would not violate the law enforcement proviso of the National Security Act of 1947 since application of the proviso to the proposed activity would serve neither of the legislative purposes underlying the proviso.

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